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COMMITTEE ON THE RIGHTS OF THE CHILD

Fifteenth session

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION

# Concluding observations of the Committee on the Rights of the Child: Cuba

1. The Committee considered the initial report of Cuba (CRC/C/8/Add.30) at its 374th to 376th meetings (CRC/C/SR.374-376), held on 21 and 22 May 1997 and adopted* the following concluding observations:

## A. Introduction

2. The Committee welcomes the submission of the State party's initial report and the written replies to the Committee's list of questions (CRC/C/Q/CUB.1). The Committee expresses its appreciation to the State party for engaging in an open dialogue and for acknowledging the problems, difficulties and challenges facing the country in implementing the Convention.

## B. Positive aspects

3. The Committee notes the historic progress the State party has made in providing services for and advancing the well-being of children, especially in the fields of health and education, which are reflected in the country's socio-economic indicators such as its infant mortality rate and teacher-pupil ratio.

* At the 398th meeting, held on 6 June 1997.

4. The Committee notes with satisfaction that a Plan of Action to attain the goals of the World Summit for Children has been formulated and is being implemented at both the national and municipal levels.

5. Note is taken of the Government's recent initiatives to implement sex education programmes in cooperation with the United Nations Population Fund (UNFPA).

6. The Committee takes note of the importance the State party attaches to the provision of care for the disabled and the priority measures introduced in this area.

7. The Committee also takes note of the willingness of the State party to provide international assistance to victims of emergencies, particularly in the case of 14,000 persons affected by the Chernobyl environmental disaster who received treatment offered by Cuba.

## C. Factors and difficulties impeding the implementation of the Convention

8. The Committee takes note of the difficulties for the State party in its implementation of the Convention as a result of the dissolution of its traditional economic ties and the intensification of the trade embargo.

## D. Principal subjects of concern

9. It is the view of the Committee that insufficient steps have been taken to study and review the compatibility of national legislation with the principles and provisions of the Convention, so as to ensure fulfilment of all the rights provided for in the Convention.

10. The Committee is concerned that insufficient steps have been taken to adequately reflect, in the State report, all the rights provided for in the Convention.

11. The Committee is concerned about the sectoral approach adopted by existing mechanisms monitoring the implementation of the Convention and their ineffectiveness in reflecting the holistic approach essential to a comprehensive implementation of the Convention.

12. The Committee is further concerned about the lack of an independent mechanism, such as an Ombudsperson, accessible to children to deal with complaints of the violation of their rights and to provide remedies for such violations.

13. The Committee draws the attention of the State party to certain lacunae in the statistical and other information collected by the State party, including with respect to the choice and development of indicators to monitor the implementation of the principles and provisions of the Convention. From information provided in the State party's report, the Committee notes that in certain instances statistics on the situation of children are being collected only for children up to the age of 15.

14. The Committee is concerned about the inadequacy of measures taken to incorporate education about the principles and provisions of the Convention fully into the training given to professionals working with and for children, including judges, lawyers, law enforcement personnel, teachers, social welfare officers, doctors and other health professionals, as well as personnel working in child-care institutions for children and officials of the central and local administrations.

15. The Committee is concerned about the failure to provide for a minimum age for sexual consent and the absence of harmonization between the age for the completion of compulsory schooling and the minimum age for employment.

16. The Committee is of the view that insufficient measures have been taken to ensure the implementation of the general principles of the Convention in policy, practice and procedures, especially with regard to article 3 (the best interests of the child) and article 12 (respect for the views of the child). The Committee is of the view that the measures taken to ensure respect for the views of the child, in the family and social life, as well as in the context of administrative, social welfare and other procedures affecting and applying to them, are insufficient.

17. The Committee regrets the insufficiency of information provided on the implementation of the civil rights and freedoms of children.

18. It is the view of the Committee that the apparent absence of independent mechanisms for monitoring the situation of children in institutions is a matter of concern.

19. While the Committee takes note of the State party's efforts to deal with the issue of child abuse, including through the establishment of an early warning system for violence against children, it is of the view that these measures are insufficient to fully protect children from such violations. Furthermore, serious concern remains in relation to a child's opportunity to report abuse and other violations of his/her rights in the family, schools or other institutions and to have a complaint taken seriously and responded to effectively.

20. The Committee is also concerned about issues relating to children who exhibit anti-social behaviour, namely an increase in the number of children with behavioural problems and the adequacy of existing mechanisms to address their problems effectively.

21. The Committee notes with concern that obstacles remain to the effective implementation of the family planning and education programmes in the country, particularly in view of the lack of quality materials and services available in Cuba.

22. The Committee has noted that, while there is an absence of statistics relating to the incidence of school drop-out, available statistics reveal a decline in the number of children enrolled in secondary education and a reduction in the availability of scholarships for children to continue their education.

23. With regard to the issues of drug abuse and trafficking, child labour, child prostitution and suicide, the Committee takes note of the information provided by the State party that cases involving children are few and isolated. Nonetheless, it wishes to express its concern that, in light of the considerable social and economic problems facing the country, insufficient efforts are being taken by the State party to devise preventive strategies to ensure that such problems do not become more prevalent, thereby endangering future generations of children.

24. It is also a matter of concern to the Committee that some issues relating to the system of juvenile justice were not fully addressed, including on the compatibility of the juvenile justice system with the principles and provisions of the Convention, especially in relation to the protection afforded to children aged 16 to 18 years of age and the detention of children with adults.

## E. Suggestions and recommendations

25. In the spirit of the Vienna Declaration and Programme of Action of 1993 and in light of the discussion in the Committee, the Committee recommends that the State party consider the possibility of reviewing the Declaration it made to the Convention with a view to its withdrawal.

26. The Committee encourages the State party to undertake a review of its national legislation in order to ensure its full compatibility with the principles and provisions of the Convention and that the whole range of rights provided for in the Convention find expression in domestic legislation, policy and actions.

27. The Committee encourages the State party in its efforts to consider becoming a party to related human rights instruments, including the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption of 1993 and the Convention relating to the Status of Refugees of 1951.

28. The State party is urged to take action to strengthen the capacity of the country's monitoring and coordinating mechanisms concerning the rights of the child with the aim of ensuring a holistic approach to the implementation of the Convention and raising the political visibility of issues relating to children.

29. In light of the Committee's view that further efforts are required to ensure that the Convention is used as a political tool and a framework for action on behalf of children, the Committee recommends that future national and local programmes of action on children incorporate policies, programmes, aims and goals reflecting the principles and provisions of the Convention.

30. In accordance with the principles and provisions of the Convention, the Committee suggests that the State party consider introducing systems, within the framework of international cooperation, which provide for the collection, compilation and analysis of data concerning children up to the age of 18, including information on the violations of the rights of the child, disaggregated, inter alia, by gender and location.

31. It is further recommended that education about the principles and provisions of the Convention be included in the training of professionals working with and for children such as doctors, health and social welfare personnel, judges, law enforcement personnel, lawyers, teachers, personnel working in child-care institutions and officials of the central and local administrations.

32. In accordance with the Convention, the Committee recommends the harmonization of legislation, including with respect to the age of completion of compulsory schooling and the minimum age for employment.

33. The Committee recommends that further measures be taken to ensure the effective implementation of the general principles of the Convention, notably non-discrimination, best interests of the child and respect for the views of the child. Thus, these principles should constitute the framework for the design and implementation of policy in all actions concerning children whether undertaken by social welfare institutions, administrative authorities or legislative bodies.

34. The Committee encourages the State party to pursue the efforts required to ensure a holistic approach to the implementation of the Convention, which reaffirms that the rights of the child are indivisible, interdependent and interrelated and that the rights of the child should be addressed in an integrated manner. In this regard, the Committee recommends that special attention be accorded to the implementation of the civil rights and freedoms of children.

35. The Committee recommends that further measures to protect children from abuse and maltreatment be undertaken, in particular through the development of a widespread public information campaign for the prevention of corporal punishment and bullying of children, whether by adults or by other children.

36. In relation to the State party's strategy for dealing with accidents affecting children, the Committee suggests that the State party consider focusing even greater efforts on preventive measures.

37. The Committee recommends that further resources and assistance be devoted to activities in the area of family planning and health education programmes, with a view to addressing the problem of teenage or unwanted pregnancies and changing male sexual behaviour. Issues relating to the incidence and treatment of children infected with or affected by HIV/AIDS and STDs and to reducing the apparent recourse to abortion as a method of family planning should also be the focus of programmatic actions. It is also recommended that major efforts be undertaken to broaden the coverage of reproductive health educational programmes beyond married couples.

38. The Committee is of the view that the State party should review, as a matter of urgency, the minimum legal age of sexual consent with a view to raising it.

39. The Committee recommends that further psycho-social measures should be taken to prevent and control the debilitating effects of behavioural problems affecting children.

40. With respect to the implementation of articles 28 and 32 of the Convention, the Committee recommends that further measures be taken to implement the recommendations of the ILO Committee of Experts on the Application of Conventions and Recommendations with respect to the obligations arising from ILO Convention No. 79 which provides for a period of rest at night of at least 12 consecutive hours, including the interval between 10 p.m. and 6 a.m., for young persons under the age of 18. The Committee also suggests that additional efforts be undertaken to monitor more closely the implementation of articles 28 and 32 of the Convention, including through the development and use of selected indicators to track trends in such matters as the drop-out rate from school and the entry of children into the informal labour market.

41. While the Committee notes that begging, drug abuse and trafficking and child prostitution are not major problems in the country at present, the Committee recommends that the Government monitor these issues closely with a view to their early prevention.

42. The Committee further recommends that the Criminal Code provide for the protection of children up to the age of 18 from sexual exploitation. The Committee also recommends that further measures be undertaken in order to address matters relating to the sexual exploitation of children, particularly through tourism, taking into account the recommendations adopted at the World Congress against the Commercial Sexual Exploitation of Children held in Stockholm.

43. In light of article 44, paragraph 6 of the Convention, the Committee recommends that the initial report and the written replies presented by the State party be made widely available to the public at large and that the publication of the report be considered along with the relevant summary records and the concluding observations adopted thereon by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention, its implementation and monitoring within the Government, National Assembly and general public.

44. The Committee would appreciate receiving from the State party, in writing, further information on the questions and issues raised during the discussion which were not fully answered or clarified, including with respect to matters relating to the right of the child to family reunification.

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UNDER ARTICLE 44 OF THE CONVENTION

# Concluding observations of the Committee on the Rights of the Child: Ghana

1. The Committee considered the initial report of Ghana (CRC/C/3/Add.39) at its 376th to 378th meetings (CRC/C/SR.376-378), held on 22 and 23 May 1997 and adopted* the following concluding observations:

## A. Introduction

2. The Committee welcomes the initial report and the written answers to the list of issues (CRC/C/Q/GHA/1) submitted by the State party. The Committee expresses its satisfaction at the additional information provided by the State party in the course of the dialogue with the Committee, during which the representatives of the State party indicated in a self-critical manner not only the policy and programme directions, but also the difficulties encountered in implementing the Convention.

## B. Positive aspects

3. The Committee notes the establishment in 1979 of the Ghana National Commission on Children. It also welcomes the adoption of a National Plan of Action which has been incorporated into the National Development Policy Framework.

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* At the 398th meeting, held on 6 June 1997.

4. The Committee notes with appreciation that the State party promulgated a new Constitution in 1992 which includes specific provisions relating to children's rights. It also notes that the State party, through a multisectoral committee, in 1995, engaged in a comprehensive law reform process to ensure full compatibility between national laws and the Convention on the Rights of the Child.

5. The Committee welcomes the establishment in 1992 of the Commission on Human Rights and Administrative Justice which is also involved in the protection of the human rights of children.

## C. Factors and difficulties impeding the implementation of the Convention

6. The Committee recognizes the economic difficulties faced by the State party, especially the constraint posed by its structural adjustment programme. Furthermore, the Committee notes that certain traditional practices and customs, prevailing particularly in rural areas, hamper the effective implementation of the provisions of the Convention, especially with regard to the girl child.

## D. Principal subjects of concern

7. While taking note of the measures undertaken in the field of law reform, including the intention to adopt a Children's Act, the Committee notes with concern that currently several provisions of the law are incompatible with the provisions and principles of the Convention, especially in the fields of civil rights, adoption and juvenile justice. The Committee also remains concerned about the conflict between customary law and the principles and provisions of the Convention in some areas such as marriage.

8. The Committee notes with satisfaction the existence of government bodies dealing with the welfare of children at the national and local levels; it nevertheless expresses its concern that there is insufficient coordination between them to develop a comprehensive approach to the implementation of the Convention.

9. While acknowledging the work undertaken by the Ghana National Commission on Children, the Committee is concerned about its weak institutional and financial status.

10. The Committee is concerned at the lack of a systematic mechanism to monitor progress in all areas covered by the Convention and in relation to all groups of children in urban and rural areas, especially during the current process of decentralization. The Committee is also concerned about the State party's limited capacity to collect and process data, as well as develop specific indicators to evaluate progress achieved and assess the impact of policies adopted on children, in particular the most vulnerable groups of children.

11. With regard to the implementation of article 4 of the Convention, the Committee notes with concern the absence of policies and measures to fully guarantee economic, social and cultural rights of children "to the maximum extent of available resources".

12. In the light of article 2 of the Convention, the Committee remains concerned about the persistence of discriminatory attitudes against some groups of children, especially girls and children with disabilities as well as children living in rural areas, which often results in limited access to basic social facilities such as health and education.

13. Concern is expressed by the Committee at the insufficient measures undertaken to ensure the effective implementation of the general principles (arts. 2, 3, 6 and 12) of the Convention on the Rights of the Child in relation to legal, judicial and administrative decisions as well as to the political decision-making process.

14. The Committee expresses its concern regarding the lack of sufficient awareness of the principles and provisions of the Convention in all parts of society, among adults and children alike. It also is concerned by the lack of sufficient training for professional groups working with or for children such as judges, lawyers, magistrates, law enforcement personnel, army officials, teachers, school managers, health personnel, social workers, officials of central and local administrations and personnel of child-care institutions.

15. In relation to article 7 of the Convention, the Committee is concerned that in many rural areas regulations on birth registration are not fully implemented and that children who are not registered may be seriously disadvantaged in the enjoyment of their rights.

16. The Committee is deeply concerned by the institutionalized use of corporal punishment as a means of discipline, particularly in schools, as well as at the absence of a comprehensive law that clearly prohibits the use of both mental and physical torture or other cruel, inhuman or degrading treatment or punishment against children.

17. In light of article 17 of the Convention, the Committee notes with concern that no mechanism exists to protect children from being exposed to harmful information, including pornography.

18. The Committee further notes with concern the inadequacy of existing laws in protecting children who are "adopted" - a situation which has led to abuses such as exploitation through domestic labour, particularly of girls.

19. The Committee is also concerned by the increase in the number of children living and/or working on the street in major cities. It is also worried by the violence that is often directed against them. The Committee is further concerned by the lack of statistical data and studies on such children.

20. The Committee is concerned by the persistence of malnutrition and the apparent difficulty in reversing this negative trend. It is also worried by the rapid spread of HIV/AIDS throughout the country and its devastating impact on childen.

21. The Committee remains concerned at the persistence of traditional attitudes and harmful practices, such as female genital mutilation, early marriages, teenage pregnancies and Trokosi (ritual enslavement of girls).

22. With regard to the right to education (arts. 28 and 29), while noting that the principle of free, universal and compulsory basic education for all children is recognized by the State party, the Committee is concerned that this fundamental right is not yet fully and equally implemented throughout the country. Furthermore, the Committee is concerned about the low level of school enrolment and the high drop-out rates, especially among girls, the lack of learning and teaching facilities and the shortage of trained teachers, particularly in rural areas.

23. In light of articles 2, 3 and 22 of the Convention, the Committee is concerned about the difficulties encountered by refugee children in securing access to basic education, health and social services.

24. The Committee is concerned about the insufficiency of legal and other measures to prevent and combat economic exploitation of children adequately, especially in the informal sector.

25. The Committee is concerned by the recent emergence of substance abuse among children and the limited prevention and rehabilitation measures and facilities to combat this phenomenon.

26. The Committee is concerned by the absence of information and data concerning sexual abuse and exploitation, including in the family. In this regard, it is also worried about the fact that children aged between 14 and 18 years do not benefit from appropriate legal and social protection measures.

27. The situation in relation to the administration of juvenile justice and in particular its compatibility with articles 37, 39 and 40 of the Convention, as well as other relevant international standards, is a matter of concern. The Committee remains particularly concerned about, inter alia, violations of the rights of the child in detention centres, the low age (7 years old) for criminal responsibility and the inadequacy of existing alternative measures to imprisonment.

## E. Suggestions and recommendations

28. The Committee recommends that the comprehensive law on the protection of the child currently being drafted be in conformity with the principles and provisions of the Convention and that it be finalized and adopted in the near future.

29. The Committee recommends that the State party strengthen coordination among the various governmental bodies and mechanisms involved in children's rights, at both the national and local levels, with a view to developing a comprehensive policy on children and ensuring effective evaluation of the implementation of the Convention. The Committee encourages the State party to pursue its efforts to strengthen the institutional framework designed to promote and protect human rights in general and the rights of the child in particular. In this regard, it recommends that the role and resources of the Ghana National Commission on Children be reinforced within as well as outside the government sphere. It encourages the State party to further cooperate closely with non-governmental organizations (NGOs). Furthermore, the Committee encourages the State party to ratify in the near future other major international human rights treaties, inter alia the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

30. The Committee also recommends that the State party give priority attention to the development of a system of data collection and analysis as well as to the identification of appropriate disaggregated indicators with a view to addressing all areas of the Convention and all groups of children in society. Such mechanisms can play a vital role in systematically monitoring the status of children and evaluating progress achieved and the difficulties hampering the realization of children's rights. They can be used as a basis for designing programmes to improve the situation of children, particularly the most disadvantaged, including children with disabilities, the girl child, children ill-treated and abused within the family and in other institutions, children deprived of liberty, children who are victims of sexual exploitation, refugee children and children living and/or working on the street. It is further suggested that the State party request international cooperation in this regard.

31. In the light of articles 2, 3 and 4 of the Convention, the Committee recommends that priority be given in budget allocations to the realization of the economic, social and cultural rights of children, with particular emphasis on health and education, and on the enjoyment of these rights by children, particularly the most disadvantaged. In this regard, the Committee suggests that the authorities responsible for overall planning and budgeting continue to be fully involved in the activities of the Ghana National Commission on Children, with a view to ensuring that their decisions have a direct and positive impact on the budget.

32. The Committee further recommends that all appropriate measures, including public information campaigns be undertaken to prevent and combat all forms of discrimination against girls and children with disabilities, especially those living in rural areas, with a view, inter alia, to facilitating their access to basic services.

33. It is the Committee's view that further efforts must be undertaken to ensure that the general principles of the Convention, in particular "the best interests of the child" (art. 3) and the participation of children (art. 12), not only guide policy discussions and formulation and decision-making, but also are appropriately integrated into any judicial and administrative decisions, as well as in the development and implementation of all projects and programmes which have an impact on children.

34. The Committee recommends that the State party launch a systematic information campaign, for both children and adults, on the Convention on the Rights of the Child. Consideration should be given to the incorporation of the Convention in the curricula of all educational institutions and appropriate measures should be taken to facilitate access by children to information concerning their rights. The Committee also suggests that the State party further direct efforts to provision of comprehensive training programmes for professional groups working with and for children such as judges, lawyers, magistrates, law enforcement personnel, army officials, teachers, school managers, health personnel, social workers, officials of central and local administrations and personnel of child-care institutions.

35. In light of article 7 of the Convention, the Committee recommends that special efforts be directed to development of an effective system of birth registration, to ensure the full enjoyment of their fundamental rights by all children. Such a system would serve as a tool in the collection of statistical data, in the assessment of prevailing difficulties and in the promotion of progress in the implementation of the Convention.

36. In light of articles 3, 19 and 28.2, the Committee strongly recommends that corporal punishment be prohibited by law and that references to disciplinary measures using physical force, such as caning, be withdrawn from the Teachers Handbook. It further recommends that authorities develop and implement appropriate creative and socio-educational measures of discipline which respect all the rights of the child.

37. The Committee recommends that the State party take all appropriate measures, including legal ones, to protect children from harmful information, including in the audio-visual media as well as in media using new technologies.

38. With a view to fully protecting the rights of adopted children, the Committee recommends that the State party review its adoption laws in the light of article 21 of the Convention. Furthermore, the Committee recommends that the State party consider ratifying the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption of 1993.

39. The Committee encourages the State party to undertake to prevent and combat the phenomenon of children working and/or living on the street by, inter alia, engaging in research and collection of data, promoting integration and vocational training programmes as well as guaranteeing equal access to health and social services.

40. The Committee recommends that the State party take all appropriate measures, including through international cooperation, to prevent and combat malnutrition.

41. The Committee suggests that the Government strengthen its information and prevention programmes to combat HIV/AIDS and sexually transmittable diseases (STD) as well as discriminatory attitudes towards children affected by or infected with HIV/AIDS. The Committee further recommends that the State party pursue and strengthen its family planning and reproductive health programmes, including for adolescents.

42. The Committee shares the view of the State party that serious efforts are required to address harmful traditional practices such as early marriage, female genital mutilation and Trokosi. The Committee recommends that all legislation be reviewed to ensure its full compatibility with children's rights and that public campaigns involving all sectors of society be developed and pursued with a view to changing attitudes. All appropriate action in this regard should be taken on a priority basis.

43. In accordance with article 28 (a) of the Convention, the Committee encourages the State party in its efforts to make primary education free, compulsory and available to all. It also encourages the Government to implement measures to improve school enrolment and pupil retention, especially of girls. A system for the regular evaluation of the effectiveness of these and other educational measures, including of the quality of teaching, must be ensured. Further steps should be taken to develop guidelines for the participation of all children in the life of the school, in conformity with the principles and provisions of the Convention. In addition, the Committee recommends that, in light of the provisions of article 29 of the Convention and the United Nations Decade for Human Rights Education, the State party incorporate education on the rights of the child in school curricula. The State party may wish to consider requesting further international cooperation for the implementation of the measures identified for the application of the provisions of articles 28 and 29 of the Convention.

44. In the spirit of articles 2, 3 and 22 of the Convention, the Committee recommends that the State party make all appropriate efforts to ensure easy and full access to basic services, including education, health and social services, to all children living under its jurisdiction.

45. The Committee encourages the State party to give specific attention to monitoring the full implementation of labour laws in order to protect children from being economically exploited. It further suggests that the authorities adopt explicit legislation and measures to protect children from exploitation through child labour in the informal sector. In addition, the Committee suggests that the State party consider ratification of ILO Convention No. 138 on minimum age for employment.

46. The Committee recommends that the authorities take all appropriate measures to prevent and combat drug and substance abuse among children, such as public information campaigns, including in schools. It also encourages the State party to support rehabilitation programmes dealing with children victim of drug and substance abuse. In this regard, the Committee encourages the State party to consider seeking technical assistance from competent international organizations, such as the World Health Organization (WHO).

47. In light of article 34 and other related articles of the Convention, the Committee recommends that the State party reinforce its legislative framework to fully protect children from all forms of sexual abuse or exploitation, including within the family. It also recommends that the State party engage in studies with a view to designing and implementing appropriate policies and measures, including in the area of rehabilitation, to combat this phenomenon comprehensively and effectively. The Committee wishes in this regard to draw

the attention of the State party to the recommendations formulated in the Agenda for Action adopted at the World Congress against Commercial Sexual Exploitation of Children held in Stockholm in 1996.

48. The Committee recommends that the State party consider undertaking a comprehensive reform of the juvenile justice system in the spirit of the Convention, in particular articles 37, 39 and 40, and of other United Nations standards in this field, such as the "Beijing Rules", the "Riyadh Guidelines" and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty. Particular attention should be paid to protecting the rights of children deprived of their liberty, to raising the minimum age of criminal responsibility and to improving the quality and adequacy of alternative measures to imprisonment. Training programmes on the relevant international standards should be organized for all professionals involved with the juvenile justice system. The Committee further suggests that the State party consider seeking technical assistance for this purpose from the High Commissioner/Centre for Human Rights and the Crime Prevention and Criminal Justice Division of the United Nations.

49. Finally, in the light of article 44, paragraph 6, of the Convention, the Committee recommends that the initial report and written replies presented by the State party be made widely available to the public at large and that the publication of the report be considered, along with the relevant summary records and the concluding observations adopted thereon by the Committee. Such a document should be widely distributed in order to generate debate on and awareness of the Convention and its implementation and monitoring within the Government, the Parliament and the general public, including concerned NGOs.

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Concluding observations of the Committee on the
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Corrigendum

Paragraph 1, second line

For 376th to 378th meetings read 377th to 379th meetings.

For (CRC/C/SR.376-378) read (CRC/C/SR.377-379).

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CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION

# Concluding observations of the Committee on the Rights of the Child: Bangladesh

1. The Committee considered the initial report (CRC/C/3/Add.38) and Supplementary report CRC/C/3/Add.49) of Bangladesh at its 380th to 382nd meetings (CRC/C/SR.380-382), on 26 and 27 May 1997, and adopted* the following concluding observations:

## A. Introduction

2. The Committee expresses its appreciation to the Government of Bangladesh for the submission of its initial report and its written information in reply to the questions set forth in the list of issues (CRC/C/Q/Ban.1). The additional information provided by the delegation of Bangladesh and the constructive and fruitful dialogue with the Committee are welcomed.

## B. Positive aspects

3. The Committee welcomes the establishment of a Ministry of Women and Children's Affairs in 1994. It also notes with appreciation the adoption of a National Policy for Children as well as the establishment of the National Children's Council in August 1995. In the area of legislative reform, it notes the adoption of a plan of action to create task forces on law reform, juvenile justice and the girl child. The adoption in 1995 of the Repression against Women and Children (Special Provision) Act and the active participation of Bangladesh in the SAARC (South Asian Association for Regional Cooperation) Decade of the Girl Child are also welcomed.

[redacted]

* At the 398th meeting, held on 6 June 1997.



[redacted]

4. The Committee notes with appreciation the openness of the State party to international cooperation to foster effective implementation of the Convention, as illustrated by the memorandum of understanding between the United Nations Children's Fund (UNICEF), the International Labour Organization (ILO), the Bangladesh Garment Manufacturers and Exporters Association (BGMEA) and the Government of Bangladesh, as well as the cooperation with other international institutions in different areas.

5. The Committee also welcomes the constructive relationship between the NGO (non-governmental organization) community and the Government, both at national and local levels, in monitoring and implementing the rights of the child. In this connection, it notes that consultations took place between the Government and NGOs in the process of preparing the initial report.

6. The Committee welcomes the recent law establishing the post of Ombudsperson as well as the fact that a National Human Rights Commission is being set up.

7. The Committee also welcomes the fact that the amount of resources allocated to social expenditures has been increased since the ratification of the Convention by Bangladesh. It notes in particular that an increasing proportion of resources has been devoted to the development of a primary health-care network, the provision of safe water supplies and sanitation and to disease control.

8. The Committee acknowledges the progress made by the State party in significantly reducing the child mortality rate over the last decade and improving access to basic education. It also notes the positive steps taken in the area of family planning programmes.

## C. Factors and difficulties impeding the implementation of the Convention

9. The Committee notes that Bangladesh is one of the poorest countries in the world; a large percentage of the vast population is young and lives below the poverty level.

10. The Committee also notes that natural disasters and structural adjustment have had a negative impact on the situation of children. It is further noted that the persistence of certain traditional practices and customs has had a negative influence on the enjoyment by some children of their rights under the Convention.

## D. Principal subjects of concern

11. While acknowledging the openness of the State party towards the possibility of reviewing its reservations to articles 21 and 14.1 of the Convention, the Committee remains concerned that these reservations might impede the full implementation of the Convention.

12. The Committee is concerned about the unclear status of the Convention in the domestic legal framework and the insufficient steps taken to bring existing legislation into full conformity with the Convention, including in

light of the general principles of non-discrimination (art. 2), the best interests of the child (art. 3), the right to life, survival and development (art. 6) and respect for the views of the child (art. 12). It is deeply concerned at the lack of conformity between existing legislative pro.isions and the Convention with respect to the various age limits set by law, the lack of a definition of the child, the age of criminal responsibility, which is set at too young an age, the possibility of imposing the death penalty, and/or imprisonment of children 16-18 in ordinary prisons. The Committee also notes that, as recognized in the State party's supplementary report, many laws are inadequately enforced and that most children's lives are governed by family customs and religious law rather than by State law.

13. The Committee is of the view that insufficient measures have been adopted to promote widespread awareness of the principles and provisions of the Convention, and remains concerned at the lack of adequate and systematic training for professional groups working with and for children, including judges, lawyers, law enforcement personnel, health professionals, teachers, social workers, personnel working in child-care institutions for children and police officers.

14. While recognizing the efforts undertaken by the State party in the collection of data and information on the status of children, the Committee is concerned that insufficient attention has been given to establishing an effective integrated system of data collection covering all children. It expresses concern, in this regard, that the National Policy for Children only covers children up to the age of 14. It is also concerned that no comprehensive monitoring and coordinating mechanism for all areas covered by the Convention and in relation to all groups of children has yet been established.

15. With regard to the implementation of article 2 of the Convention, the Committee expresses its concern at the persistence of discriminatory attitudes and harmful practices affecting girls, as illustrated by serious disparities, sometimes starting at birth and affecting the enjoyment of the rights to survival, health, nutrition and education. The Committee also notes the persistence of harmful practices such as dowry and early marriage. Discriminatory attitudes towards children born out of wedlock, children who are living and/or working on the street, child victims of sexual exploitation, children with disabilities, refugee children and children belonging to tribal minorities are also a matter of concern.

16. The Committee expresses concern regarding the implementation of article 12 of the Convention, noting that the views of the child are not sufficiently taken into account, especially within the family, the school and the juvenile justice system.

17. The Committee is concerned that the birth of most children in the State party are not registered. Failure to register can have negative consequences on the full enjoyment of fundamental rights and freedoms by children.

18. The Committee is concerned at the lack of appropriate measures to combat and prevent ill-treatment and abuse, including sexual abuse, both within and outside the family, and at the lack of awareness and information on this

matter. The persistence of corporal punishment and its acceptance by the society and instances of violence committed by law enforcement officials against abandoned or "vagrant" children are matters of serious concern.

19. The inadequate measures to assist parents in fulfilling their common child-rearing responsibilities and the lack of assistance or child support for many children living in single-parent families or other particularly vulnerable children are matters of concern. The Committee is also concerned at the inadequate provision in legislation and practice for alternative care for children deprived of a proper family environment.

20. The Committee is concerned at the high maternal mortality rates, lack of access to prenatal care and, more generally, limited access to public health-care facilities. The lack of a national policy to ensure the rights of children with disabilities is also noted. The Committee is also concerned at the absence of programmes addressing the mental health of children and their families.

21. Malnutrition continues to seriously hamper the survival and development of children in the State party, which has one of the highest rates of malnourished children in the world and where calorie intake has decreased over the past decades, resulting in a higher incidence of stunting and wasting.

22. While recognizing efforts to improve the situation of education, including the introduction of compulsory education for children aged 6 to 10, and measures to encourage girls to attend school, the Committee nonetheless remains concerned at the low level of school enrolment and the high drop-out rates, at the very high child/teacher ratios and the shortage of trained teachers.

23. With regard to the implementation of article 22 of the Convention, the Committee remains concerned at the weak legal protection and lack of adequate procedures for refugee children. It is also concerned by difficulties they encounter in securing access to educational and health facilities and at difficulties in ensuring family reunification.

24. The Committee is concerned about the large number of children who are working, including in rural areas, as domestic servants as well as in other areas of the informal sector. It is concerned that many such children work in hazardous and harmful conditions, and are often vulnerable to sexual abuse and exploitation. The Committee is also seriously concerned about the occurrence of trafficking and sale of children. Lack of enforcement and failure to implement existing legislation at all levels, from law enforcement agencies to the judiciary, need to be addressed.

25. The Committee is concerned that the State party has failed to take measures to promote the child's right to leisure, recreation and cultural activities (art. 31).

26. The situation in relation to the administration of juvenile justice, and its incompatibility with articles 37, 39 and 40 of the Convention and other relevant international standards, is a matter of concern to the Committee. Specifically, the Committee is concerned about the very young age of criminal

responsibility (7 years), the lack of adequate protection for children aged 16-18, grounds for arrest and detention of children that can include prostitution, "vagrancy" or "uncontrollable behaviour", the possibility of imposing heavy sentences on children and the solitary confinement and ill-treatment of children by the police.

27. Finally, as regards the implementation of article 30 of the Convention, the Committee is concerned that inadequate measures have been taken to ensure the protection and promotion of the rights of children belonging to minorities, including children from the Hill Tracts.

## E. Suggestions and recommendations

28. In light of the Vienna Declaration and Programme of Action, the Committee encourages the State party to further review its reservations to articles 14, paragraph 1, and 21 of the Convention with a view to their withdrawal. The Committee is of the opinion that, in light of the proposed reforms to national legislation, the reservations may not be necessary.

29. The Committee recommends that the State party pursue its efforts to ensure full compatibility of its national legislation with the Convention, taking due account of the general principles as contained in articles 2, 3, 6 and 12 and the concerns expressed by the Committee. Furthermore, the State party should develop a national policy on children and an integrated legal approach to child rights.

30. The Committee encourages the State party to pursue its efforts to promote human rights education in the country in general and create a wider awareness and understanding of the principles and provisions of the Convention. It recommends that a systematic information campaign on the Convention be launched for children and adults alike. The Convention should be incorporated in the curricula of all educational institutions, and present initiatives to reach those vulnerable groups who are illiterate or without formal education should be pursued and further strengthened, with the cooperation of the United Nations Children's Fund (UNICEF) and other organizations active in this field. The State party should also promote a comprehensive training programme policy for professional groups working with and for children.

31. The Committee recommends that the State party consider acceding to other international human rights instruments, including the two International Covenants on Human Rights and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

32. The Committee further recommends that the State party undertake to gather all necessary information on the situation of children in the various areas covered by the Convention and in relation to all groups of children, including the most vulnerable. The National Policy on Children should be adjusted in order to cover all children, including children 14-18 years of age.

33. The Committee also suggests that a multidisciplinary monitoring and coordinating system be established to assess the progress achieved and difficulties encountered in the realization of the rights recognized by the Convention at the national and local levels, paying particular attention to the adverse effects of economic policies on children.

34. With respect to article 4 of the Convention, the Committee, while noting efforts made in allocating resources to the social sector, is of the view that greater budgetary provisions need to be made to overcome and remedy existing disparities and develop, with the assistance of international cooperation, a comprehensive strategy for children, taking due account of the best interests of the child.

35. The Committee considers that greater efforts are required to implement fully the provisions of article 2 of the Convention. Measures, including studies and campaigns, should be taken to combat traditional attitudes and stereotypes and to sensitize society, to the situation and needs of the girl child, children born out of wedlock, children living and/or working on the street, child victims of sexual abuse and exploitation, children with disabilities, refugee children and children belonging to tribal minorities.

36. The Committee wishes to encourage the State party to promote and facilitate children's participation and respect for their views in decisions affecting them, especially in the family, at school, and in the judicial and administrative procedures, in light of articles 12, 13 and 15 of the Convention.

37. The Committee recommends that further measures be taken to ensure the registration of the birth of all children, in cooperation with non-governmental organizations and with the support of international organizations.

38. The Committee recommends that the State party develop public awareness campaigns and measures to provide appropriate assistance to families in carrying out their child-rearing responsibilities with a view, inter alia, to preventing domestic violence, prohibiting corporal punishment, and preventing early marriages and other harmful traditional practices.

39. Additional measures are needed to combat violence against and abuse of children, including sexual abuse. Programmes for the rehabilitation and reintegration of traumatized children need to be developed and adequate procedures and mechanisms devised to deal with complaints of both physical and psychological ill-treatment. Allegations of violations of children's rights should be investigated and prosecuted.

40. The Committee recommends that the State party consider becoming a party to the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoptions.

41. Further steps should be taken in the area of health and welfare services. In particular, concerted efforts are needed to combat malnutrition and ensure the implementation of a National Nutritional Policy for children.

42. Efforts are also required for the treatment of children with disabilities and their prevention, and to raise awareness about the need to facilitate the active participation of such children in the community, in light of article 23 of the Convention. The Committee also encourages the State party to pursue efforts to ensure the implementation of integrated mental health programmes and approaches and to make available the necessary resources and assistance for these activities.

43. In the area of education, the Committee suggests that further steps be taken to ensure the implementation of articles 28 and 29. The Committee urges that greater efforts be directed to training teachers, improving the school environment, increasing enrolment and fighting school drop-out.

44. As a means of tackling the integrated issues of education and child labour, including in the informal sector, the Committee recommends that effective information campaigns be carried out to prevent and eliminate child labour, and that the present cooperation between the State party, international organizations such as the International Labour Organization (ILO) and UNICEF, and non-governmental organizations be expanded. Regulations to prevent child labour should be enforced, complaints investigated and severe penalties imposed for violations. Efforts to provide opportunities for education and leisure to child workers and children working and/or living on the street should be strengthened. It is also suggested that the State party consider ratifying ILO Convention No. 138 concerning the minimum age for employment.

45. The Committee recommends that the State party ensure adequate protection of refugee children, including in the field of physical safety, health and education. Procedures should also be established to facilitate family reunification. The State party may consider seeking assistance from the Office of the United Nations High Commissioner for Refugees (UNHCR) in this regard.

46. With regard to the administration of juvenile justice, the Committee recommends that legal reform be pursued in connection with the very young age of criminal responsibility (7 years), the lack of adequate protection for children aged 16-18, grounds for arrest and detention of children that can include prostitution, "vagrancy" or "uncontrollable behaviour", the possibility of imposing heavy sentences on children, and the solitary confinement and ill-treatment of children by the police. In this reform the State party should take fully into account the provisions of the Convention, in particular articles 37, 39 and 40, as well as other relevant international standards in this area, such as the Beijing Rules, the Riyadh Guidelines and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty. The Committee also recommends that the State party avail itself of the technical assistance programmes of the High Commissioner/Centre for Human Rights and the Crime Prevention and Criminal Justice Division of the Secretariat.

47. The Committee encourages the State party to take all appropriate measures to prevent and combat sexual abuse and sexual exploitation of children and to ensure their physical and psychological recovery and social

reintegration, in light of article 39 of the Convention. Bilateral and regional cooperation should be reinforced to prevent and combat the serious problem of trafficking of children.

48. Finally, the Committee recommends that in accordance with article 44, paragraph 6, of the Convention, the initial report presented by the State party be made widely available to the public at large and that consideration be given to the publication of the report along with the written answers to the list of issues raised by the Committee, the relevant summary records of the discussion and the concluding observations adopted thereon by the Committee following its consideration of the report. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government, the Parliament and the general public, including concerned non-governmental organizations.

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COMMITTEE ON THE RIGHTS OF THE CHILD

Fifteenth session

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION

# Concluding observations of the Committee on the Rights of the Child: Paraguay

1. The Committee began consideration of the initial report of Paraguay (CRC/C/3/Add.17) at its 167th and 168th meetings (CRC/C/SR.167-168), held on 4 and 5 October 1994. At its 183rd meeting, held on 14 October 1994, it adopted preliminary observations (CRC/C/15/Add.27), and requested further information from the State party based on its written list of issues (CRC/C.7/WP.2) and questions and concerns raised orally with the delegation. The State party submitted the additional information requested (CRC/C/3/Add.47) which was considered at the Committee's 385th meeting (CRC/C/SR.385), held on 28 May 1997, and adopted* the following concluding observations:

## A. Introduction

2. The Committee expresses its appreciation to the State party for the submission of its initial report, the additional information subsequently supplied and the State party's willingness to engage in an open dialogue with the Committee in both October 1994 and May 1997. The written answers to the Committee's list of issues (CRC/C.7/WP.2), as well as the response of the delegation to oral questions and concern expressed during the examination of the initial report allowed the Committee to have a useful and constructive discussion with the State party.

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* At the 398th meeting, held on 6 June 1997.

## B. Positive factors

3. The Committee takes note of the provision of the 1992 Constitution that not less than 20 per cent of the national budget must be devoted to education, and welcomes the steps taken by the State party to make education available throughout the country through an ambitious school-building programme and its efforts to improve the quality of education. In this regard, the Committee views efforts by the State party to reduce the very high drop-out rate by grade six as an important component of a strategy to limit phenomena such as child labour and children working and/or living on the street. The Committee further welcomes the provision in the 1992 Constitution that in the early years of schooling teaching shall be in the student's native language, the provision of instruction in both Spanish and Guaraní, and the measures that have been adopted under the Strategic Educational Reform Plan (Paraguay 2020) to address the problems faced by Guaraní-speaking children in basic education.

4. The Committee welcomes the priority being given by the State party to health, in particular health care for children, including efforts to reduce child mortality, facilitate breastfeeding, support nutrition programmes and increase access to clean drinking water.

5. The Committee also welcomes steps that have been taken to reinforce the independence of the judiciary and the judicial apparatus which is concerned with legal issues relating to children and juveniles.

6. The Committee views positively the technical cooperation programme provided to the State party through a joint programme supported by the High Commissioner/Centre for Human Rights and the United Nations Development Programme (UNDP), as well as the support provided by the United Nations Children's Fund (UNICEF) for various programmes to benefit children in Paraguay.

## C. Factors and difficulties impeding the implementation of the Convention

7. The Committee notes that the State party is still going through a period of transition to democracy. The Committee recognizes that the legacy of certain authoritarian attitudes hampers the effective implementation of the rights of the child, and that Paraguay inherited a public infrastructure which did not give priority to education, health or social welfare institutions. The Committee acknowledges that the existing inadequacies of the public service and the high rate of population growth impede the full achievement and enjoyment of the rights recognized in the Convention.

## D. Principal subjects of concern

8. While acknowledging the efforts undertaken by the State party to adopt a new Juvenile Code for improving protection and promotion of the rights of the child, the Committee is concerned that since 1991 several draft bills have been prepared but none has yet been adopted.

9. The Committee is concerned that sufficient attention does not seem to have been paid to the development of a coordinating mechanism to monitor the implementation of the rights of the child in the State party. The Committee is equally concerned about the extent to which the bodies established to consider the situation of children are provided with the support and resources they will need to fulfil their designated functions.

10. The Committee is concerned about the need to strengthen the State party's limited capacity to collect and process data, as well as to monitor specific indicators to evaluate progress achieved and to assess the impact of existing policies on children, in particular the most vulnerable children.

11. The Committee remains concerned that the present approaches to the implementation of the rights of the child in the State party do not sufficiently encourage and strengthen popular participation and public scrutiny of government policies.

12. The Committee is of the view that, in spite of the fact that some measures have been taken to make the principles and provisions of the Convention known to adults and children alike (for example, by portraying the Convention in cartoon form in both official languages to facilitate its understanding by young children), efforts in this regard need to be continued and intensified.

13. The Committee is also concerned that persons working with and for children, including judges, lawyers, magistrates, law enforcement personnel, army officials, teachers, school managers, health personnel, social workers, officials of the national and local administrations and personnel of child care institutions, lack sufficient knowledge about the Convention and other relevant international instruments relating to the rights of the child.

14. The Committee wishes to express its concern that the principles and provisions of the Convention, especially its general principles, as reflected in its articles 2 (non-discrimination), 3 (best interests of the child), 6 (right to life, survival and development) and 12 (respect for the views of the child), have not yet been fully taken into account in legislative and other measures relevant to children.

15. Within the framework of the implementation of article 4 of the Convention, relating to the allocation of resources to the "maximum extent" possible, the Committee is concerned that the national and local-level budgets have allocated insufficient funds to the social sector, especially with regard to the ability to respond effectively to the situation of the most vulnerable children.

16. The Committee is concerned that some sectors of Paraguayan society are not yet sufficiently sensitive to the needs and situation of the girl child. It also notes that discrimination against minority and indigenous children persists, contrary to the provisions of article 2 of the Convention.

17. While the Committee welcomes the official policy of the State party that no person under 18 can be recruited for military service or serve, even with parental authorization, it is concerned that in practice this policy is not always enforced and that there are still under-age juveniles coerced or pressured into military service.

18. The Committee is concerned that inadequate measures have been taken to implement the provisions of articles 7 and 8 of the Convention, particularly with regard to ensuring registration of births, especially among the indigenous population, and that children are not systematically provided with the necessary birth certificates and other documents to protect and preserve their identity.

19. The Committee is concerned at the large number of children who are not acknowledged by their fathers and the inadequate measures taken to force fathers to be responsible for the welfare of their children.

20. The Committee expresses its concern that although the State party has imposed a provisional moratorium on intercountry adoptions pending the approval of legislation on this subject, no law has yet been passed; it is gravely concerned at alleged trafficking in children in violation of the provisions and principles of the Convention, particularly articles 3, 21 and 35.

21. The Committee notes that the social and economic disadvantages faced by children, in particular those living in rural and certain urban areas, have led to various forms of exploitation of those children, including their placement as domestic servants in wealthier families, thus exposing them to ill-treatment and abuse, including sexual abuse in some cases.

22. While welcoming the priority given by the State party to health, the Committee expresses its concern about the high rates of infant and child mortality, malnutrition and infectious diseases, as well as the unresolved difficulties in providing country-wide maternal and child health services.

23. The Committee is concerned by the absence of large-scale public campaigns for the prevention of unwanted pregnancies, STDs and HIV/AIDS, especially for children and adolescents. It is also concerned about the lack of sufficient reproductive health information and services for adolescents.

24. The Committee is concerned that adequate measures have not yet been taken to fully guarantee in practice the right of indigenous students to education in their native language, Guaraní.

25. The Committee expresses its concern at the phenomenon of children working and/or living on the street, and at the inadequate measures to tackle this issue.

26. The Committee also expresses its concern at the prevalence of prostitution among children and adolescents.

27. The Committee is concerned that the State party does not have a clear strategy to combat the abuse and sexual exploitation of children.

28. The situation in relation to the administration of juvenile justice and in particular its compatibility with articles 37, 39 and 40 of the Convention, as well as other relevant standards such as the Beijing Rules, the Riyadh Guidelines and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty, is a matter of concern to the Committee. The Committee remains particularly concerned, inter alia, about alleged ill-treatment of children in detention centres. The Committee is also gravely concerned that a significant percentage of juveniles are deprived of their liberty for extended periods without being charged or brought to trial. It is also concerned that in at least one major detention centre, persons who have been convicted and those awaiting trial are not housed separately.

## E. Suggestions and recommendations

29. The Committee recommends that the comprehensive new Juvenile Code currently being drafted be in conformity with the principles and provisions of the Convention and encourages the State party to finalize and adopt it in the near future.

30. The Committee recommends that the State party strengthen coordination between the various governmental bodies and mechanisms involved in children's rights, at both the national and local levels, with a view to developing a comprehensive policy on children and ensuring effective evaluation of implementation of the Convention. The Committee also encourages the State party to pursue its efforts to strengthen the institutional framework designed to promote and protect human rights in general and the rights of the child in particular.

31. The Committee encourages the State party to continue and strengthen its efforts to develop a close partnership with non-governmental organizations (NGOs).

32. The Committee also recommends that the State party give priority attention to the development of a system of data collection and to the identification of appropriate disaggregated indicators with a view to addressing all areas of the Convention and all groups of children in society. Such mechanisms can play a vital role in systematically monitoring the status of children, evaluating progress achieved and difficulties hampering the realization of children's rights. They can be used as a basis for designing programmes to improve the situation of children, particularly the most disadvantaged, including children with disabilities, the girl child, children ill-treated and abused within the family, in institutions or deprived of liberty, children who are victims of sexual exploitation and children who live and/or work on the street. It is further suggested that the State party request international cooperation in this regard.

33. The Committee recommends that the State party launch a systematic information campaign, for both children and adults, on the Convention on the Rights of the Child. Consideration should be given to incorporating the Convention in the curricula of all educational institutions and appropriate measures should be taken to facilitate access by children to information on their rights. The Committee also suggests that the State party direct further efforts towards providing comprehensive training programmes for professional

groups working with and for children such as judges, lawyers, magistrates, law enforcement personnel, army officials, teachers, school managers, health personnel, social workers, officials of national or local administrations and personnel of child care institutions.

34. The Committee recommends that the State party take fully into account the general principles of the Convention (arts. 2, 3, 6 and 12) in its legislation, particularly in its new Juvenile Code, and in its policies and programmes.

35. In the light of articles 2, 3 and 4 of the Convention, the Committee recommends that priority be given in budget allocations to the realization of the economic, social and cultural rights of children, with particular emphasis on health and education, and on the enjoyment of these rights by all children including the most disadvantaged. In this regard, the Committee suggests that the authorities responsible for overall planning and budgeting be fully involved in the activities of governmental bodies and institutions dealing with children's issues, with a view to ensuring that their decisions have a direct and positive impact on the budget.

36. The Committee encourages the State party to enforce rigorously legislation on the minimum age for recruitment into the military.

37. The Committee further recommends that all appropriate measures be undertaken, including information campaigns, to prevent and combat all prevailing forms of discrimination against girls and minority or indigenous children, especially those living in rural areas, with a view, inter alia, to promoting their access to basic services.

38. The Committee recommends that the State party take all appropriate legislative, administrative and other measures to ensure registration of birth, especially in minority and indigenous communities and communities in remote areas. The Committee further recommends that the State party institute awareness-raising campaigns among the public, as well as among civil servants.

39. In the spirit of articles 18 and 24 paragraph 2 (f), of the Convention, the Committee recommends that the State party promote parent education and family counselling and take measures to ensure adherence to the principle that both parents have common responsibilities for the upbringing of children.

40. Following the Government's national campaign to prevent abuse and ill-treatment of children, the Committee suggests that the State party continue to raise awareness about this issue and systematically monitor all types of child abuse, including in institutions.

41. In light of article 21 of the Convention, the Committee strongly recommends that the State party enact legislation on adoption that is in conformity with the principles and provisions of the Convention.

42. While welcoming the recent ratification by the State party of The Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption, the Committee encourages the State party to take appropriate action to ensure the entry into force of this Convention.

43. The Committee recommends that the State party take adequate measures, including through awareness-raising campaigns, to prevent the abandonment of children and to protect poor single mothers from illegal networks of child traffickers.

44. The Committee recommends that the State party take all appropriate measures to combat the phenomenon of children working and/or living on the street. Pupil retention programmes and vocational training for drop-outs should be encouraged. The Committee also recommends that the authorities provide special training to law enforcement personnel to prevent the stigmatization, abuse and ill-treatment of these children. Furthermore, the Committee encourages the State party to consider ratification of ILO Convention No. 138 concerning the minimum age for employment.

45. The Committee suggests that the State party consider seeking technical assistance to continue to improve its efforts to make primary health care accessible to all children and develop a comprehensive strategy and programmes for mother and child health care. The Committee further suggests that the State party promote adolescent health by strengthening reproductive health and family planning services to prevent and combat HIV/AIDS, other STDs and teenage pregnancy.

46. The Committee recommends that the authorities take all appropriate measures to guarantee the full implementation of the right of the child to be educated in his/her own language.

47. With a view to preventing and combating sexual abuse and exploitation of children, in particular prostitution, the Committee recommends that the State party take all appropriate measures, including the adoption of relevant legislation and the formulation of a national policy, and suggests that it seek international assistance in this regard. It further recommends that the authorities promote the implementation of article 39 of the Convention by strengthening the capacity of existing rehabilitation centres.

48. The Committee recommends that the State party undertake a comprehensive reform of its juvenile justice system in the spirit of the Convention, in particular articles 37, 39 and 40, and of other United Nations standards in this field, such as the Beijing Rules, the Riyadh Guidelines and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty. Particular attention should be paid to protecting the rights of children deprived of their liberty, improving alternative measures to imprisonment and guaranteeing due process of law. Training on the relevant international standards should be provided for all professionals involved with the juvenile justice system. The Committee further suggests that the State party consider seeking technical assistance for this purpose from the High Commissioner/Centre for Human Rights and the Crime Prevention and Criminal Justice Division of the United Nations.

49. Finally, in light of article 44, paragraph 6, of the Convention, the Committee recommends that the initial report and additional information presented by the State party be made widely available to the public at large and that the publication of these documents be undertaken, along with the relevant summary records and the concluding observations adopted thereon by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government, the Parliament and the general public, including concerned non-governmental organizations.

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